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12 *Attorneys for Plaintiff/Counter-*  
13 *defendant U.S. Bank N.A.,*  
14 *successor trustee to Bank of*  
15 *America, N.A., successor in interest*  
16 *to LaSalle Bank N.A., as trustee,*  
17 *on behalf of the holders of the*  
18 *Washington Mutual Mortgage*  
19 *Pass-Through Certificates,*  
20 *WMALT Series 2005-10*

21  
22 UNITED STATES DISTRICT COURT  
23  
24 DISTRICT OF NEVADA

25 U.S. BANK N.A., SUCCESSOR TRUSTEE  
26 TO BANK OF AMERICA, N.A.,  
27 SUCCESSOR IN INTEREST TO  
28 LASALLE BANK N.A., AS TRUSTEE, ON  
BEHALF OF THE HOLDERS OF THE  
WASHINGTON MUTUAL MORTGAGE  
PASS-THROUGH CERTIFICATES,  
WMALT SERIES 2005-10,

1 Plaintiff,

2 vs.

3 SFR INVESTMENTS POOL 1 LLC, a  
4 Nevada limited liability company;  
5 SHERMAN OAKS ESTATES OWNERS  
6 ASSOCIATION, a Nevada non-profit  
7 corporation.

8 Defendant.

9 SFR INVESTMENTS POOL 1, LLC, a  
10 Nevada limited liability company,

11 Counter/Cross-claimant,

12 vs.

13 Case No. 2:16-cv-02801-JCM-GWF

14  
15 MOTION TO EXTEND TIME TO  
16 FILE REPLY IN SUPPORT OF  
17 MOTION FOR LEAVE TO FILE AN  
18 AMENDED COMPLAINT [DKT. 50]  
19  
20 (FIRST REQUEST)

1 U.S. BANK N.A., SUCCESSOR TRUSTEE  
2 TO BANK OF AMERICA, N.A.,  
3 SUCCESSOR IN INTEREST TO  
4 LASALLE BANK N.A., AS TRUSTEE, ON  
BEHALF OF THE HOLDERS OF THE  
WASHINGTON MUTUAL MORTGAGE  
PASS-THROUGH CERTIFICATES,  
5 WMALT SERIES 2005-10; DAVID L.  
MCCOY, an individual; PAMELA MCCOY,  
6 an individual,

7 Counter/Cross-defendants.

8  
9 Plaintiff/Counter-Defendant U.S. Bank N.A., successor trustee to Bank of  
10 America, N.A., successor in interest to LaSalle Bank N.A., as trustee, on behalf of  
11 the holders of the Washington Mutual Mortgage Pass-Through Certificates,  
12 WMALT Series 2005-10 (the “Trustee”) moves the Court pursuant Fed. R. Civ. P.  
13 6(b) and LR IA 6-1 to extend the time for Trustee to file a reply in support of its  
14 Motion for Leave to File an Amended Complaint.<sup>1</sup> Trustee’s motion was filed  
15 August 21, 2017. Sherman Oaks filed an opposition on August 23, 2017. Trustee’s  
16 reply in support is currently due August 30, 2017.<sup>2</sup> Trustee respectfully requests  
17 that its deadline to file a Reply be extended to September 8, 2017.

18 Good cause exists for an extension, as the bases for Sherman Oaks opposition  
19 to Trustee’s motion are entirely different from those relied upon by the Court in  
20 granting the motion to dismiss. Sherman Oaks’ opposition is based on legal issues  
21 the parties last briefed seven months ago. Trustee requires additional time to  
22 review the briefing on these issues and update its research to ensure it provides  
23 appropriate responses to Sherman Oaks’ arguments and presents the Court with  
24 current and relevant legal authority. Additionally, due to the upcoming holiday

25 <sup>1</sup> Counsel for Trustee attempted to contact counsel for Sherman Oaks to  
obtain a stipulation prior to filing this motion. However, as of the date of filing,  
26 counsel for Trustee has not received a response from Sherman Oaks.

27 <sup>2</sup> SFR Investments Pool 1, LLC has not, at this time, filed an opposition to  
Trustee’s motion, but may do so no later than September 5, 2017.  
28

1 weekend, Trustee has not been able to obtain client approval of this filing by  
2 August 30, 2017, and the availability of its client contacts over the next week is  
3 limited.

4 This is Trustee's first request for an extension of this deadline, and the  
5 request is not intended to cause any delay or prejudice to any party.

6 For the foregoing reasons, good cause exists to order that Trustee be allowed  
7 until September 8, 2017 to file a Reply in support of its Motion for Leave to File an  
8 Amended Complaint.

9 Dated this 30th day of August, 2017.

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BALLARD SPAHR LLP

12

By: /s/ Justin A. Shiroff

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16

17 *Attorneys for Plaintiff/Counter-  
Defendant*

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ORDER

22

23 IT IS SO ORDERED.

24

25

 UNITED STATES DISTRICT JUDGE

26

Dated: September 5, 2017

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of August, 2017, I served a copy of the foregoing **MOTION TO EXTEND TIME TO FILE REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT** upon each of the parties via electronic service through the United States District Court for the District of Nevada's CM/ECF filing system.

/s/ Sarah Walton  
An employee of BALLARD SPAHR LLP

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